THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE DR.JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.1715 OF 2005.

Between

Principal Secretary to Government of
Andhra Pradesh, Animal Huskbandry Dairy
Development & Fisheries Department,
Secretariat Buildings, Hyderabad

….Appellant

And

1.Ksheera Sagar Chopra son of Ch.Isaiah,
aged 66 yrs, Pensioner r/o H.No.12-13-677/31
Kimthi Colony, Tarnaka, Hyderabad and 2 others.

….Respondents

JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides.

The appellant herein is the State who seeks to assail the orders passed in the writ petition filed at the instance of the 1st respondent wherein they seek to assail the impugned order on various grounds.

The learned Judge after taking into consideration the submission made by both sides found that the case of the petitioner has not been considered in proper perspective.

Though the learned Government pleader for the appellant submits that having regard to the observations made in regard to the applicability of rules, however, these are necessarily has to be gone into especially in view of the direction given by the learned Judge to pass appropriate orders within a period of 8 weeks. In view of the same, we do not find any justification to go into the merits of the claim on either side.

Accordingly, the writ appeal is dismissed. No costs. It is needless to mention that it shall be open for the appellant to pass orders in accordance with law uninfluenced by any of the observations or findings given in this proceedings. Time granted by the learned single Judge is extended for a further period of eight weeks from today for passing orders.

B.PRAKASH RAO, J

G.YETHIRAJULU, J

Dated: 16-09-2005

Hsd